



STANTON, S.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VOSS OF NORWAY, ASA;  
VOSS PRODUCTION, AS;  
VOSS USA, INC.,  
ENERGY GROUP, AS; and  
G ENERGY, INC.,

Case No. 07 cv 7649 (LLS)

**STIPULATION AND ORDER**

*Plaintiffs,*

-against-

REVTECH, INC.,

*Defendant and Counterclaim  
Plaintiff,*

-against-

SOUTHERN WINE & SPIRITS OF AMERICA,  
REPUBLIC NATIONAL DISTRIBUTING  
COMPANY, STARWOOD HOTELS AND  
RESORTS WORLDWIDE, INC., FOUR  
SEASON'S HOTELS, ALABAMA CROWN,  
ALLAN S. GOODMAN, INC., TRANSATLANTIC  
WINE AND SPIRITS, CLASSIC WINE IMPORTS,  
J. LEWIS COOPER, J&P WHOLESALE  
IMPORTS, R&R MARKETING, MANHATTAN  
BEER DISTRIBUTORS, BIG BLUE  
DISTRIBUTORS, INC., CAVALLARO  
SPECIALTY FOODS, INC., EMPIRE  
DISTRIBUTORS OF NORTH CAROLINA,  
GALAXY WINE COMPANY LLC, ORIGLIO  
BEVERAGE, WILSBACH DISTRIBUTORS, R.S.  
LIPMAN CO., GLAZER'S WHOLESALE  
DISTRIBUTOR, NICHOLAS & CO. and NOBLE  
WINES,

*Additional Counterclaim  
Defendants.*

----- X

WHEREAS, pursuant to a Stipulation and Order on Consent, plaintiffs filed a First Amended Declaratory Judgment Complaint in the above captioned action; and

WHEREAS, the defendant intends to amend its counterclaims to include, *inter alia*, additional allegations of breach of the parties' License Agreement and the alleged termination thereof; and

WHEREAS, some of defendant's allegations of breach are the subject to a twenty day Notice to Cure dated November 1, 2007 which is not scheduled to expire until November 21, 2007; and

WHEREAS, defendant added twenty-two additional counterclaim defendants in its counterclaim that are allegedly Voss Product Distributors, See Answer and Counterclaim ¶52 ("Additional Counterclaim Defendants"); and

WHEREAS, in order to save the parties the time and expense of having to serve multiple pleadings and amended pleadings, or burdening one another with multiple amendments and responsive pleadings, the parties have agreed to coordinate and schedule the dates on which the parties must serve their pleadings and proposed amended pleadings.

NOW, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties in the above captioned action, as follows:

1. Defendant shall have until November 28, 2007 to serve its proposed Amended Answer and Amended Counterclaims on plaintiff's counsel together with a Stipulation and Order on Consent seeking the consent of the plaintiffs and the Additional Counterclaim Defendants to serve the Amended Answer and Amended Counterclaims (the "Consent").
2. In the event the parties execute the Consent, plaintiffs and the Additional Counterclaim Defendants shall have until December 14, 2007 to serve their Reply to the

Amended Counterclaims.

3. In the event plaintiffs and/or the Additional Counterclaim Defendants do not agree to execute the Consent, plaintiffs and the Additional Counterclaim Defendants shall serve their Reply to the Amended Counterclaims as directed by the Court and/or in accordance with the Federal Rules of Civil Procedure.

Dated: New York, New York  
November 16, 2007

KING & SPALDING LLP

By:   
Keith E. Sharkin (KS-1307)

*Attorneys for Plaintiffs*  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 556-2100

HELLER, HOROWITZ & FEIT, P.C.

By:   
Alan A. Heller (AH-7942)

*Attorneys for Defendant*  
292 Madison Avenue  
New York, New York 10017  
(212) 685-7600

SO ORDERED:

Dated: November 19, 2007

  
United States District Judge